

BOIES, SCHILLER & FLEXNER LLP
RICHARD J. POCKER (NV Bar No. 3568)
300 South Fourth Street, Suite 800
Las Vegas, NV 89101
Telephone: (702) 382-7300
Facsimile: (702) 382-2755
rpocker@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP
STEVEN C. HOLTZMAN (*pro hac vice*)
FRED NORTON (*pro hac vice*)
KIERAN P. RINGGENBERG (*pro hac vice*)
1999 Harrison Street, Suite 900
Oakland, CA 94612
Telephone: (510) 874-1000
Facsimile: (510) 874-1460
sholtzman@bsfllp.com
fnorton@bsfllp.com
kringgenberg@bsfllp.com

Attorneys for Plaintiffs Oracle USA, Inc.,
Oracle America, Inc. and Oracle International
Corp.

BINGHAM McCUTCHEN LLP
GEOFFREY M. HOWARD (*pro hac vice*)
THOMAS S. HIXSON (*pro hac vice*)
KRISTEN A. PALUMBO (*pro hac vice*)
BREE HANN (*pro hac vice*)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286
geoff.howard@bingham.com
thomas.hixson@bingham.com
kristen.palumbo@bingham.com
bree.hann@bingham.com

DORIAN DALEY (*pro hac vice*)
DEBORAH K. MILLER (*pro hac vice*)
JAMES C. MAROULIS (*pro hac vice*)
ORACLE CORPORATION
500 Oracle Parkway, M/S 5op7
Redwood City, CA 94070
Telephone: 650.506.4846
Facsimile: 650.506.7114
dorian.daley@oracle.com
deborah.miller@oracle.com
jim.maroulis@oracle.com

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-0106-LRH-PAL

**DECLARATION OF THOMAS
BRENNAN IN SUPPORT OF THE
PARTIES' JOINT CASE
MANAGEMENT CONFERENCE
STATEMENT**

1 I, Thomas Brennan, declare as follows:

2 1. I am an employee of Oracle Corporation, in the position of VP Technical
3 Operations for Customer Services Technology, a position I have held for 6 months. I have
4 personal knowledge of the matters stated in this declaration by virtue of my employment by
5 Oracle Corporation. If called and sworn as a witness, I could and would competently testify as
6 to such matters.

7 2. I am informed that Defendant Rimini Street, Inc. ("Rimini") seeks an Oracle
8 witness to testify about, or Oracle to provide a written description of, "[c]ontent on Oracle's
9 Technical Support websites, including the manner in which content is organized, methods for
10 locating specific content, the type of metadata available for identifying specific content, and any
11 changes or modifications to the way in which support content is made available to licensees from
12 2004 to present." Oracle currently supports over 4,400 products, has a number of technical
13 support websites, and has acquired over 80 companies, each having had their own technical
14 support websites. These websites annually provide access to terabytes of constantly changing
15 content, and Rimini appears to be seeking information for multiple years. To compile this
16 information, for each technical website, Oracle personnel would have to research archived
17 materials to attempt to identify multiple years' worth of terabytes of content, and would need to
18 take into consideration underlying systems, process, and tools changes. That alone is a project of
19 monumental proportions, and given the amount of content available, its frequent updates and
20 changes, and the number of involved individuals, I do not believe that an accurate list could be
21 compiled for one website for one year, let alone several. Oracle personnel would then have to
22 research the various and changing manners in which content has been organized, methods for
23 locating specific content, metadata available for identifying specific content, and changes and
24 modifications to the way in which support content is made available – all for each website, for
25 each year. This research would require painstaking analysis of code and code changes, and
26 given the dynamic nature of these websites, I do not believe that an accurate analysis could be
27 made. Therefore, I do not believe that Oracle personnel could provide an accurate conclusion
28

1 about the information Rimini seeks. Given the breadth of the information sought, I am unable to
2 even estimate the number of people and the amount of time it would take to perform the full
3 analysis requested by Rimini, if at all, and as stated, I do not believe the result would be accurate.

4 3. I declare under penalty of perjury under the laws of the United States that the
5 matters contained in this Declaration are true and correct, and that this Declaration was executed
6 in Monument, Colorado on January 5, 2012.
7

8 
9 Thomas Brennan
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28